



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
ANN ARBOR, MICHIGAN 48105  
2009 MODEL YEAR  
CERTIFICATE OF CONFORMITY  
WITH THE CLEAN AIR ACT OF 1990 ISSUED TO:

Office of  
Transportation  
and Air Quality

BMW  
Manufacturer Name

120T2-20  
Certificate Number

11/25/2008  
Effective Date

Signed by  
Karl J. Simon,  
Director, Compliance and Innovative  
Strategies Division

11/25/2008  
Issued Date

**Test Group:** 9BMXT03.0M57

**Evaporative/Refueling Family:**

**Applicable Exhaust Emission Standards:** Federal: Tier 2 Bin 5

**Applicable Evaporative/Refueling Emission Standards:**

Engine Displacement: 3.0 Liters

Exhaust Emission Test Fuel Type: CERT DIESEL (8 – 15 PPM SULFUR)

Full Useful Life Miles: Exhaust Emissions: 120,000 miles      Evaporative/Refueling Emissions:

Models Covered: BMW: X5 XDRIVE35D

Pursuant to section 206 of the Clean Air Act (42 U.S.C.7525) and 40 CFR Part 86, this certificate of conformity is hereby issued with respect to test vehicles which have been found to conform to the requirements of the regulations on Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines (40 CFR Part 86) and which represent the new motor vehicle models listed above by test group and evaporative/refueling emission family, more fully described in the application of the above named manufacturer. Vehicles covered by this certificate have demonstrated compliance with the applicable emission standards as more fully described in the manufacturer's application. This certificate covers the above models, which are designed to meet the applicable emission standards specified in 40 CFR Part 86 at both high and low altitude as applicable.

EPA is issuing this certificate subject to the conditions and provisions of 40 CFR 86.1848(c).

This certificate covers only those new motor vehicles or vehicle engines which conform, in all material respects, to the design specifications that applied to those vehicles or engines described in the documentation required by 40 CFR Part 86 and which are produced during the 2009 model year production period stated on this certificate of the said manufacturer, as defined in 40 CFR Part 86. The manufacturer shall obtain the approval of the California Air Resources Board (in the form of an executive order issued by the California Air Resources Board) prior to introducing any vehicle covered by this certificate into commerce 1) in the State of California, or 2) in a State that, under the authority of Section 177 of the Clean Air Act, has adopted and placed into effect the California standards to which this test group has been certified.

Catalyst-equipped vehicles designed to be operated on gasoline or flexible fuel are equipped with an emission control device which the Administrator has determined will be significantly impaired by the use of leaded fuel. This certificate is issued subject to the conditions specified in 40 CFR 80.24. Catalyst-equipped vehicles designed to be operated on gasoline or flexible fuel, otherwise covered by this certificate, which are driven outside the United States, Canada, Mexico, Japan, Australia, Taiwan and the Bahama Islands will be presumed to have been operated on leaded fuel resulting in deactivation of the catalysts. If these vehicles are imported or offered for importation without retrofit of the catalyst, they will be considered not to be within the coverage of this certificate unless included in a catalyst control program operated by manufacturer or a United States Government Agency and approved by the Administrator.

In the case of completely assembled vehicles, this certificate of conformity covers only vehicles which are completely manufactured prior to January 1, 2010. Normally incompletely assembled vehicles (such as cab chassis) may be completed after this date, provided that the basic manufacturing (including installation of the emission control system) was completed prior to January 1, 2010. This certificate does not cover vehicles sold, offered for sale, or introduced, or delivered for introduction, into commerce in the U.S. prior to the effective date of the certificate.